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April 20, 2023

VIA ECF

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: Hamilton v. Enterprise Holdings, Inc., et. al.
Case No.: 22-cv-10860

Your Honor:

The law firm of Rivkin Radler, LLP represents Defendants, Enterprise Holdings, Inc. d/b/a Enterprise Rent-A-Car and Jessica Sirow, ("Defendants"), in the above-referenced action. By Order dated March 9, 2023, *see, Dkt # 14*, Your Honor Ordered the United States Marshal Service, ("USMS"), to effectuate service on Defendants on or before March 23, 2023.

On or about April 4, 2023, Defendant Enterprise Holdings, Inc. received from the USMS, by mail, a copy of the Summons and Complaint, along with, *inter alia*, the "Statement Of Service By Mail And Acknowledgment Of Receipt By Mail of Summons and Complaint," ("Acknowledgement Of Receipt"), dated March 23, 2023. On or about April 14, 2023, Defendant Sirow was purportedly served by the USMS, via mail, with the same package.

Yesterday, as counsel for each Defendant, I acknowledged service within thirty days of Defendants' respective receipt of the Summons and Complaint from the USMS. *See, Exhibits "A" and "B."* Accordingly, in accordance with the terms of the Acknowledgement Of Receipt, Defendants respectfully ask Your Honor to So Order that Defendants' respective responsive pleadings are now due to be filed on or before June 19, 2023, instead of April 28, 2023 as it presently stands. *See, Dkt # 16.*

Respectfully submitted,

Rivkin Radler, LLP

Kenneth A. Novikoff


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RIVKIN RADLER LLP

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cc: All parties via ECF

Application GRANTED. Defendants' response to the Complaint shall be filed no later than **June 19, 2023**. The Initial Case Management Conference currently scheduled for June 15, 2023, at 11:00 a.m., is hereby ADJOURNED to **June 28, 2023, at 11:00 a.m.** The requirements of the Order Scheduling Initial Case Management Conference (Dkt. 16) remain in effect. SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

Barbara Moses
United States Magistrate Judge
April 21, 2023